

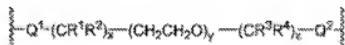
EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jeffry Mann on July 29, 2009.

The application has been amended as follows:

In claim 1, line 6, after the terms "nitrogenous base", the text ---, wherein said linker has the formula:



wherein,

R¹, R², R³, and R⁴ are individually selected from the group consisting of hydrogen, halogen, -OH, substituted or unsubstituted alkyl, substituted or unsubstituted heteroalkyl, substituted or unsubstituted cycloalkyl, substituted or unsubstituted heterocycloalkyl, substituted or unsubstituted aryl, substituted or unsubstituted heteroaryl, and OR⁵, wherein

R⁵ is selected from hydrogen and substituted or unsubstituted alkyl;
Q¹ and Q² are individually selected from the group consisting of a bond, substituted or unsubstituted alkyl, and substituted or unsubstituted heteroalkyl;
x and z are individually selected from the integers 0 to 100; and
y is selected from the integers 1 to 100;---

has been inserted.

Claim 5 has been deleted.

Allowable Subject Matter

2. The following is an examiner's statement of reasons for allowance: Khan et al. Inorg. Chem. (1999), Vol. 38, pages 418-419 (Khan) is the closest prior art. Khan teaches ruthenium-labeled oligonucleotides (Schemes 1 and 2); however, Khan does not teach or suggest oligonucleotides comprising the instantly claimed linker.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contacts

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick T. Lewis whose telephone number is 571-272-0655. The examiner can normally be reached on Monday - Friday 10 am to 3 pm (Maxi Flex).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shaojia A. Jiang can be reached on 571-272-0627. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Patrick T. Lewis/
Primary Examiner, Art Unit 1623

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